

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KEESHA ANDERSON,

Plaintiff,

-against-

AMAZON.COM, INC. et al.,

Defendants.

23-cv-8347 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

On Monday, September 23, 2024, the Court held a hearing on defendants' claims that plaintiff had misrepresented statements from an alleged whistleblower cited in the complaint. The Court denied plaintiff's motion to amend her complaint, stayed discovery, and set a schedule for defendants to brief a motion for sanctions under Fed. R. Civ. P. 11. Dkt. 120.

On further reflection, the Court has decided that a stay and motion for sanctions would introduce needless delay to these proceedings. The ultimate question for the Court will be whether any malfeasance on the part of the plaintiff allowed her to advance an otherwise meritless claim through discovery. The Court can't evaluate that until the record is complete and summary judgment has been fully briefed.

So instead of a stay, the Court will entertain any request for sanctions along with defendants' motion for summary judgment. If it turns out that plaintiff's case is without merit and must be dismissed, then the Court will hear an application from defendants at that time that some or all of the costs of discovery should be shifted to the plaintiff.

The stay of discovery is lifted. The parties should schedule any outstanding depositions to occur on or before October 18, 2024. The remaining deadlines in the case will be extended by two weeks. Post-discovery summary judgment motions are due November 1, 2024, answering papers due November 22, 2024, and replies due December 6, 2024.

As for plaintiff's effort to amend her complaint, her amendments were solely to conform the complaint to the evidence in the case, and not to add any additional claims or allegations. We're way past that stage. The Court will consider any discrepancies between the current complaint and the evidence when reviewing defendants' summary judgment motion.

SO ORDERED.

Dated: September 26, 2024
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN
United States District Judge